

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

ALFRED T. DUPRE,

Plaintiff,

v.

7:13-CV-1367

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendants.

---

THOMAS J. McAVOY  
Senior United States District Judge

**DECISION and ORDER**

This action, brought pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) for a review of the final determination of the Commissioner of Social Security, was referred by this Court to the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

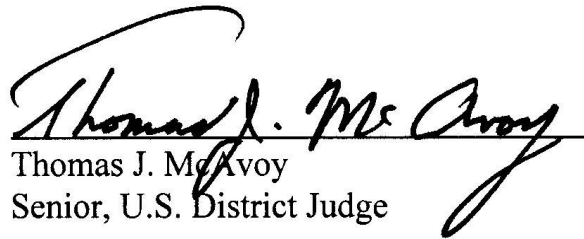
In the Report-Recommendation, Magistrate Judge Dancks recommends that the case be remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. No objections to the Report-Recommendation dated February 25, 2015 have been filed. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

For the foregoing reasons, the Court **ADOPTS** the Report and Recommendation,

dk. # 14, and **ORDERS** that the case be remanded to the Commissioner for proceedings consistent with the Magistrate Judge's Report-Recommendation.

**IT IS SO ORDERED.**

**Dated: March 25, 2015**

  
Thomas J. McAvoy  
Senior, U.S. District Judge